

Application No.: 09/788,646
Attorney Docker No. 52493.000127

REMARKS

Claims 1-35 and 53-55 are pending in the application. By this Amendment, claims 1, 21, 54 and 55 are amended for clarity. Claims 4-6, 9-11, 15, 17-20, 25-27, and 31-34 are currently withdrawn from further consideration as being drawn to a non-elected species/invention.

No new matter has been introduced by this Amendment.

Applicant notes that claims 35, 53, 53 and 55 appear to be inadvertently omitted from the pending claim listing of the "Office Action Summary" (Item (4)). **Applicant requests confirmation** that claims 35 and 53 are under examination, as well as the **status of such claims**, as such is not addressed in the present Office Action. Applicant also requested such status in the March 27, 2007 Response.

Applicant also notes that on page 2, the rejection under 35 U.S.C. 112 has been withdrawn. Applicant thanks the Examiner for withdrawing the 112 rejection.

Reconsideration and allowance in view of the following remarks are respectfully requested.

A. The Allowable Subject Matter

On page 4, the Office Action indicates that claims 54 and 55 are allowed. Further, the Office Action indicates that claims 3 and 23 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant appreciates the indication of allowable subject matter.

B. The 35 U.S.C. §103 Rejection Based on Bennett In View of Hanby

In the Office Action, claims 1, 2, 7, 8 12, 13, 14, 16, 21, 22, 24, 28, 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent to Bennett et al (7,117, 170) in view of U.S. Patent to Hanby et al. (7,143,051). The Office Action has been fully considered.

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This rejection is respectfully traversed.¹

The features of Bennett are described in Applicant's previous response. On page 5 of the Office Action, in response to Applicant's prior response, the Office Action asserts that:

Applicant argue that Benner does not disclose "receiving, at a supplier, a request for sales-related data from a user associated with a broker, the request for sales-related [data] being transmitted from a broker network address of the broker, the broker network address being utilized by the user for the transmission of the request for sales-related data". The Examiner respectfully disagrees. Benner's invention discloses a system and method that apply for requesting sales-related data selected by each of a plurality of users, in response to each particular user's request. Figures 33a and 33b of Benner represent sales-related database that is store by the system regarding a particular request.

These assertions in support of the rejection are traversed. More specifically, such assertions fail to fully address Applicant's arguments set forth in the March 27, 2007 Response. On page 14 of such Response, Applicant argued that Benner failed to teach or suggest the above noted features in conjunction with other claimed features. Specifically, Applicant argued on page 14, lines 11-14, that in conjunction with such claimed features, claim 1 also recites:

accessing broker information, at the supplier, from a broker information database based on the broker network address;

Applicant submits that it is such combination of features that the applied art fails to teach.

Applicant respectfully submits that Bennett fails to teach or suggest the claimed manner in which the broker network address is utilized and the interrelationship of such use vis-à-vis the customer and the access of data. The "Response to Arguments" on page 5 of the Office Action fails to address such deficiencies in the rejection. Further, Applicant submits that such deficiencies do not otherwise appear to be addressed.

¹ Clarification of the disposition of claims 35 and 53 is requested.

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As noted above, in the Response to Arguments, the Office Action noted Figs. 33a and 33b of Benner. Such figures of Benner indeed set forth a database schema diagram, as described in column 5, lines 1-5, for example. However, such disclosure clearly fails to set forth the particulars of claim 1, for the reasons set forth above, i.e., Benner fails to set forth the "combination" of features.

The Office Action asserts that Bennett discloses various features of the claimed invention. In particular, on page 3, the Office Action asserts that Bennett discloses the request for sales related data input from a broker network address being utilized by the user for the transmission of the request for sales related data. The Action relies on Bennett col. 20, line 42, and asserts that the shipping center data defaults to preset origin zip code locations based on email address recognized at log on.

However, the Office Action fails to address Applicant's arguments in the previous Response. Bennett discloses a shipping system that a user logs into so as to request the system to deliver an item. Users of the system input their physical locations and email addresses when they log in the system for the first time as part of the user address collection screen. (Col. 15, lines 39-56). When a user logs back on as a shipper, the system will default the shipping location to the user's specified preferences that the user inputs at the first time the user logs into the system. (Col. 20, lines 36-40). Further, Bennett teaches that if the user's specified preference is a "customer drop off" location, the system populates the origin zip code with the user's default zip code that the user inputs at the first time the user logs into the system. (Col. 20, lines 40-44.)

Thus, the Office Action appears to be maintaining the mischaracterization of Bennett such that a **user's log in credential** (user name or user id) is **constituted by an "email**

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address", when, in contrast, Bennett collects email addresses as part of a user collection screen, for example. (Col. 15, lines 39-56). However, such falls short of teaching the features of claim 1, as discussed above.

Further, on page 3, lines 8-11, the Office Action asserts:

... accessing broker information from a broker information database based on the broker network address (ship center database is accessed for shipping location)...

Applicant traverses such assertion as unsupportable. In short, the Office Action is asserting that a disclosure of Bennett setting forth "ship center database is accessed for shipping location" fairly teaches: "accessing broker information from a broker information database based on the broker network address". Applicant submits that such a general disclosure of Bennett clearly cannot support the particulars as asserted. Further, such assertion in the Office Action does not address the above discussed interrelationship regarding the broker network address.

Applicant respectfully submits that Bennett fails to teach or suggest the claimed manner in which the broker network address is utilized and the interrelationship of such use vis-à-vis the customer and the access of data. Therefore, Applicant submits that Bennett does not disclose the particulars of claim 1.

Applicant understands that the Office Action and the 35 U.S.C. 103 rejection relies collectively on the teachings of Bennett and Hanby. That is, on page 4, the Office Action asserts that Bennett discloses the invention as set forth above but fails to disclose an insurance based inquiry system and thus does not disclose accessing state related information that includes at least one of the users state of residence and the state in which the broker is licensed and generating the sales-related data based on the received request-related information based on the state related information. The Office Action reflects, however, Hanby does disclose an internet based insurance sales method/system wherein the quote engine requires rules to effect the

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desired quote. The Office Action further assert that it would be obvious to modify Bennett to include the internet based insurance purchasing application taught by Hanby, the motivation being the rapidity of ordering before rate changes occur.

Thus, the Office Action relies on the particulars of Hanby for internet based insurance quote engine rules regarding state related information. However, even if Bennett was so modified (which is not admitted to be obvious) Hanby fails to cure the deficiencies of the teachings of Bennett, as discussed above. In particular, Hanby fails to disclose the particulars relating to the use of the broker network address, as discussed above.

On page 4, the Office Action sets forth various assertions relating to asserted teachings of the applied art. Applicant submits that even if such assertions were supportable, which is not so admitted, such would still fail to cure the deficiencies of the applied art, as discussed above.

Accordingly, it is respectfully submitted that claim 1 defines patentable subject matter for at least the reasons set forth above. Further, it is submitted that independent claim 21 defines patentable subject matter for reasons similar to those set forth with respect to claim 1. The various dependent claims define patentable subject matter based on their various dependencies on the independent claims, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

C. Conclusion

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully solicited.

In the event any fees are necessary, please charge or credit any such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206.

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The Examiner is respectfully requested to call Applicant's undersigned representative at the telephone number below if any assistance might be provided to the Examiner in the examination of the application.

Respectfully submitted,

HUNTON & WILLIAMS

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